

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Nathaniel Pate,

Case No. 1:13CV1560

Petitioner

v.

**ORDER**

Kimberly Klipper,

Respondent

This is a habeas corpus case under 28 U.S.C. § 2254. Following reference to a United States Magistrate Judge for a Report and Recommendation, the Magistrate Judge has submitted a Report and Recommendation recommending denial of the petition.

The petitioner has not filed a timely objection, though being notified of his need to do so.

On *de novo* review of the Report and Recommendation, I find that the Magistrate Judge's recommendation of dismissal is well-taken.

It is, therefore,

**ORDERED THAT:**

1. The Report and Recommendation of the Magistrate Judge be, and the same hereby is adopted as the order of this court; the Clerk shall enter a dismissal accordingly; and

2. An appeal from this order could not be taken in good faith, and reasonable jurists could not reasonably disagree with this order; accordingly, no certificate of appeal shall issue, and no appeal shall be taken without prepayment of the requisite filing fee.

So ordered.

/s/ James G.Carr  
Sr. U.S. District Judge